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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 10/723,617 | 11/25/2003 | Christopher Stewart | PD-203076 | 1077 |
| 20991 | 7590 | 05/26/2005 | EXAMINER | |
| THE DIRECTV GROUP INC PATENT DOCKET ADMINISTRATION RE/R11/A109 P O BOX 956 EL SEGUNDO, CA 90245-0956 | | | PAIK, STEVE S | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2876 | |

DATE MAILED: 05/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/723,617

Applicant(s)

STEWART, CHRISTOPHER

Examiner

Steven S. Paik

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 March 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 March 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

1. Receipt is acknowledged of the Amendment filed March 15, 2005. The Amendment includes amended claims 1, 2, 4, and 6.

Drawings

2. The drawings were received on March 15, 2005. These drawings are acceptable.

Claim Rejections - 35 USC § 112

3. Claims 1 and 6 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The features, "a first lateral wall and a second lateral wall", added by the Amendment filed March 15, 2005 are not described by the Specification.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-6 are rejected under 35 U.S.C. 102(b) as being anticipated by Takahashi (US 5,091,618).

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Re claim 1, Takahashi discloses a smart card reader (IC card reader/writer 102) for usage with a smart card (IC card 7) to reduce card abrasion (Figs. 1-7 disclose a reduced contact between a card substrate of the IC card and the card reader) comprising:

an open receptacle (base plate 6), where the receptacle includes at least one open side (Figs. 2, 3 and 5-7 disclose the top side of the receptacle is open), a bottom surface (base plate 6), a first lateral wall (6a in Fig. 1), a second lateral wall (6b) and a longitudinal wall (a portion where the arm is mounted on; see col. 3, ll. 64+);

at least one placement tab (3b and the first and second lateral walls include guide members to support and guide the IC card travel path by design), where the at least one placement tab extends from the first lateral wall (6a), the second lateral wall (6b) and longitudinal wall (3b) into the receptacle (6) and secures the placement of the smart card (7) in the receptacle (col. 4, ll. 13-42); and

a plurality of contacts (contact springs 1) residing within the receptacle where the plurality of contacts connects to a smart chip (IC terminal portion 8) within the smart card (7 in Fig. 1) upon placement of the smart card in the receptacle (col. 4, ll. 13-42).

Re claim 2, Takahashi discloses the smart card reader as recited in rejected claim 1 stated above, wherein the plurality of contacts (contact springs 1) resiliently contact (col. 4, ll. 39-43) the smart chip (8) within the smart card (7).

Re claim 3, Takahashi discloses the smart card reader as recited in rejected claim 1 stated above, further comprising:

a contact plate (contact spring frame 2) within the receptacle of the card reader (102) that includes the plurality of contacts (contact springs 1); and

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a plurality of electrical leads from the contact plate (col. 3, ll. 58+ and col. 4, ll. 51+).

Re claim 4, Takahashi discloses an IC card reader (102) for usage with a smart card (7) to reduce card abrasion (Figs. 1-7 disclose a reduced contact between a card substrate of the IC card and the card reader) comprising:

an open receptacle (base plate 6), where the receptacle includes at least one open side (Fig. 1);

a receptacle lip (6a and 6b) extending over a lateral side of the receptacle and a portion of two adjoining longitudinal sides of the receptacle (3b and the first and second lateral walls include guide members to support and guide the IC card travel path by design) to cover a portional edge of the receptacle (6) and securing the placement of the smart card in the receptacle (col. 4, ll. 13-42); and

a plurality of contacts (contact springs 1) residing within the receptacle (see Fig. 1) where the plurality of contacts connects to a smart chip (8) within the smart card (7) upon placement of the smart card in the receptacle (Fig. 1-3 and 5-7).

Re claim 5, Takahashi discloses the IC card reader as recited in rejected claim 4 stated above, wherein said receptacle lip resiliently maintains the smart card (7) in contact with the plurality of contacts (Fig. 2 and 3; col. 4, ll. 13-42).

Re claim 6, Takahashi discloses a method of having a card restraining tab smart card interface (IC card reader/writer (102)) to reduce card abrasion comprising:

providing an open receptacle (base plate 6) to minimize card area contact within a smart card reader (102);

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enclosing the open receptacle on three sides (6a, 6b, and contact spring frame 2 that is retractably connected to an arm 5) of the receptacle with a first lateral wall (6a), a second lateral wall (6b) and a longitudinal wall (a side where the arm 5 is attached);

attaching placement tabs (3b and the first and second lateral walls include guide members to support and guide the IC card travel path by design) along the first lateral wall, second lateral wall and longitudinal wall;

inserting a smart card (IC card 7) into the receptacle and engaging said tab placement tabs (col. 4, ll. 13-42);

placing a contact plate (contact springs 1 within a contact spring frame 2) within the smart card reader;

aligning the contact plate with a smart chip (8) residing on a smart card; and
resiliently connecting (col. 4, ll. 34-42) the contact plate to the smart chip (8).

Response to Arguments

6. Applicant's arguments with respect to claims 1-6 have been considered but are moot in view of the new ground(s) of rejection. A newly found reference, Takahashi US 5,091,618 has been applied to the amended claims. In view of above discussion, claims 1-6 are rejected under 35 U.S.C. §102(b).

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

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A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven S. Paik whose telephone number is 571-272-2404. The examiner can normally be reached on Mon - Fri (5:30am-2:00pm).


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached on 571-272-2398. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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Steven S. Paik
Primary Examiner
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